Applicant respectfully requests entry of the above Amendment prior to prosecution of the present Continued Prosecution Application. The amendments to the claims introduce no new matter, and are being made to more particularly point out and distinctly claim Applicant's invention. Prompt and favorable action on the present Application is respectfully requested.

Respectfully submitted,

Dated: September 13, 2001

Gail Dalickas

Gail Ann Dalickas
Attorney for Applicant
Registration No. 40,979

DUANE, MORRIS & HECKSCHER LLP
One Liberty Place
Philadelphia, PA 19103-7396
(215) 979-1849

Version of claims with markings to show changes made:

1. A method for [making an] diagnosing a disease state *in situ* [analytical diagnosis of] in biological tissue [and] or cells of a living [organisms comprised of] organism comprising:

   a) applying to the tissue or cells a biological stain or dye or a combination of biological stains and dyes; [and]

   b) [measuring and recording the reflected light spectrum of the stained tissue or cells by means of] generating a reflected light spectrum from the tissue or cells by illuminating the stained tissue or cells with light;

   c) [and] directing the reflected light spectrum to a [suitable] spectrometer; [and]

   [c] d) comparing [and correlating] the reflected spectrum of the stained or dyed tissue or cells with a library of previously obtained [spectrum] spectra; and

   e) correlating the reflected light spectrum with a disease state, whereby an *in situ* diagnosis of a disease state is made.

3. A method as in Claim 1 where the biological stain or dye or combination of biological stains or dyes [is] comprises a metachromatic biological stain or dye.

5. A method as in Claim 1 [where the spectrum from the tissue or cells stained or dyed is compared to a database file of spectrums or composite spectrums by] wherein said comparing comprises [software means and] the use of a digital microprocessor.

7. A method as in Claim 1 [where] wherein the tissues or cells are thought to be diseased[, metaplasic] or metaplastic[, or otherwise abnormal].

9. A method as in Claim 1 where the reflected light spectrum is measured and recorded, and said measuring comprises the use of [by means of] a photometer and one or more light filters.

10. A method as in Claim 1 [where] wherein the tissues or cells are of at least one organ selected from [organs including,but not limited to] the skin, cervix, [vaginal]vagina, mouth, colon, [and], esophagus or internal organs.

11. A method as in Claim 1 [where the] wherein, prior to said comparing step, a reflected light spectrum [of normal] from unstained tissue or cells is [first] subtracted from the spectrum of the stained tissue or cells.

12. A method for [making an] diagnosing a disease state *in situ* [analysis of] in biological tissue [and] or cells of a living [organisms comprised of] organism comprising:

a) applying to the tissue or cells a photo-reactive biological stain or dye or a combination of photo-reactive biological stains and dyes to stain the tissue or cells; [and]

b) generating a reflected light spectrum of the photoreactive biological stain or dye applied to the stained tissue or cells by illuminating the stained tissue or cells with light while simultaneously measuring and recording the [changes of the] reflected light spectrum of the photoreactive biological stain or dye applied to the stained tissue or cells [and] with a cytochemical or histochemical property of [a particular type of] the tissue or cells.

c) correlating the [change in the] reflected light spectrum

c) [and] directing the reflected light spectrum to a [suitable] spectrometer; [and]

[c] d) comparing [and correlating] the reflected spectrum of the stained or dyed tissue or cells with a library of previously obtained [spectrum] spectra; and

e) correlating the reflected light spectrum with a disease state, whereby an *in situ* diagnosis of a disease state is made.

13. A method for the cytotoxic destruction of [dysplasic] dysplastic, pre-cancerous or cancerous cells [and tissues by means of] comprising:

a) applying to the [tissue or] cells a biological stain or dye or a combination of biological stains and dyes to stain the cells [as a photosensitizer and]

b) generating a reflected spectrum by irradiating the stained [tissue or] cells with light [of a suitable and sufficient intensity and quality] to induce photo oxidation of the biological stain or dye and

c) simultaneously monitoring the [change of the] reflected spectrum of the stained or dyed [tissue or] cells during [photo] irradiation.

15. A method as in Claim 13 where the biological stain or dye or combination or biological stains and dyes [is] comprises a metachromatic biological stain or dye.

17. A method as in Claim 13 [where the] wherein said monitoring comprises measuring the reflected spectrum, using a spectrometer [is] able to measure light [for a range or some part of a range of] having a wavelength from 200 to 1100 nanometers.

18. A method as in Claim 13 where the reflected light spectrum is measured and recorded, and said measuring comprises the use of [by means of] a photometer and one or more light filters.

19. (Amended) A method as in Claim 13 where the tissues or cells are [of organs including, but not limited to] selected from the group consisting of the skin, cervix, [vaginal] vagina, mouth, colon, [and] esophagus, [or] and internal organs.